

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ARTHUR A. BLUMEYER III,)
)
 Movant,)
)
 v.) No. 4:07CV1281(JCH)
)
UNITED STATES OF AMERICA,)
)
 Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of Arthur A. Blumeyer III, a federal inmate in the Federal Corrections Institution in Texarkana, Texas (FCI-Texarkana), to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

Discussion

The instant § 2255 motion should be dismissed. Movant previously sought and was denied § 2255 relief by this Court. See Blumeyer v. United States, 4:98CV301(JCH) (E.D. Mo.). Movant has not received permission from the Eighth Circuit Court of Appeals to file a second or successive § 2255 motion in this Court. See 28 U.S.C. § 2255.¹

In accordance with the foregoing,

IT IS HEREBY ORDERED that movant's motion to vacate,

¹Movant seeks permission from this Court to file a second or successive § 2255 motion, but this Court cannot grant such permission. Movant must apply to the Eighth Circuit Court of Appeals for permission to file a second or successive § 2255 motion in this Court.

set aside or correct sentence pursuant 28 U.S.C. § 2255 [Doc. #1]
is **DISMISSED**, without prejudice.

IT IS FURTHER ORDERED that movant's motion to file a
second motion to vacate, set aside or correct sentence [Doc. #3]
is **DENIED**, without prejudice.

An appropriate order shall accompany this memorandum
and order.

Dated this 27th day of September, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE